

**BUREAU OF LAND MANAGEMENT
YUMA FIELD OFFICE
2555 E. Gila Ridge Rd.
Yuma, AZ 85365**

CATEGORICAL EXCLUSION (CX) FORM

AZ-320-2005-0040

Case/Project No.: AZA 33159

PROJECT NAME: Bone Dry Film Permit

TECHNICAL REVIEW:

(√)	Program	Reviewer	Signature	Date
	Air Quality			
	ACEC			
√	Botanical including T & E Spp.	J. Young		
	Communications (Dispatch)			
√	Cultural/Paleontology	S. Arnold		
	Energy Policy			
	Environmental Justice			
	Farmlands (Prime & Unique)			
	Floodplain			
√	Hazardous Material	S. Fusilier		
√	Invasive & Non-Native Species	J. Young		
√	Lands/Realty	F. Rodriguez		
	Land Law Examiner			
	Law Enforcement			
	Minerals			
	Native American Religious Concerns			
	Operations			
	Range Management			
	Recreation			
	Soils			
	Surface Protection			
	Visual Resources			
	Water Rights			
	Water Quality (Surface & Ground)			
	Wetlands/Riparian Zones			
	Wild & Scenic Rivers			
	Wilderness			
	Wild Horses/Burros			
√	Wildlife including T & E Spp.	J. Young		

Prepared by: _____

Francisca S. Rodriguez
Realty Specialist

Date: _____

Reviewed by: _____

Karen Reichhardt
Acting Planning & Environmental Coordinator

Date: _____

Reviewed by: _____

Thomas Zale
Assistant Field Manager

Date: _____

Name of Project: Bone Dry Film Permit

Number: AZ-320-2005-0040

Case File No.: AZA 33159

Location (legal description):

Film Permit application, AZA 33159, affects the following public lands: T. 8 S., R. 14 W., sec. 17, portions of lots 5-7 (inclusive), SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ (within); T. 8 S., R. 15 W., sec. 13, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ (within) and sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ (within). Gila and Salt River Meridian, Yuma County, Arizona. The area described contains 480 acres approximately.

Applicant: Bone Dry, LLC

Description of Proposed Action:

On June 8, 2005, we received a land use application for a film permit from Bone Dry, LLC. Bone Dry is proposing to film a short segment for an independent film called Bone Dry in the Mohawk Valley. The crew would access the film location sites by using existing dirt roads. Please refer to the plan of development for a detailed project description. The proposed action is planned to take place in 2 days. However, this categorical exclusion would be effective for a period of 14 days to allow for additional filming if needed. The film permit would be issued pursuant to Title III of the Federal Land Policy and Management Act, as amended, and all applicable regulations contained in Title 43 Code of Federal Regulations part 2920. Heavy equipment, pyrotechnics, or explosives would not be used during the filming activities. Also, there would be no use of exotic species, domestic livestock, or a helicopter during the filming activities.

Categorical Exclusion Reference:

Land Use Application, AZA 33159: 516 DM 6, Appendix 5.4: E(19) – Issuance of short-term (3 years or less) rights-of-way or land use authorizations for such uses as storage sites, apiary sites, and construction sites where the proposal includes rehabilitation to restore the land to its natural or original condition.

Required Stipulations:

1. The holder shall conduct all activities within the authorized limits of the permit.
2. Traffic shall be restricted to routes approved by the authorized officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the authorized officer. Authorized roads used by the holder shall be rehabilitated when permitted activities are complete, as approved by the authorized officer.
3. The final filming product will have a written acknowledgement of the filming location on public lands managed by the Bureau of Land Management, Yuma Field Office, Yuma, Arizona.
4. No signs or advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.

5. All cultural resources must be avoided by the proposed action. It is required that a cultural resource monitor be on site at all times during project activities. The monitor will ensure that all ground-disturbing project activities occur at least 20 meters away from cultural resources. If cultural resources are found in the vicinity, filming must be moved to another location within the permitted area that does not contain these sensitive resources.
6. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.
7. If in connection with operations under this authorization, any human remains, funerary objects, sacred objects or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (P.L. 101-601; 104 Stat. 3048; 25 U.S.C. 3001) are discovered, the holder shall stop operations in the immediate area of the discovery, protect the remains and objects, and immediately notify the authorized officer. The holder shall continue to protect the immediate area of the discovery until notified by the authorized officer that operations may resume.
8. The holder shall be responsible for weed control on disturbed areas within the limits of the permit. The holder is responsible for consultation with the authorized officer and/or local authorities for acceptable weed control methods (within limits imposed in the permit stipulations).
9. The holder shall clean off-road equipment (power or high-pressure cleaning) of all mud, dirt, and plant parts prior to moving equipment onto public land authorized under this permit.
10. The holder shall protect all survey monuments found within the permit. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the holder shall immediately report the incident, in writing, to the authorized officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management permit monuments or references are obliterated during operation, the holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands in the United States, latest edition. The holder shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the holder shall be responsible for the survey cost.
11. Issuance of this permit does not constitute exclusive use of the public lands by permittee. Other permits may be issued within this permit area at the discretion of the Authorized Officer.
12. A copy of the permit and the stipulations shall be kept available on location at all times, for review for BLM personnel upon request. All persons (i.e., permittees, contractors, sub-contractors) working at the site shall be familiar with the permit stipulations.

13. This authorization may be revoked by the Authorized Officer (AO) "for cause". The determination of what constitutes "for cause" will be decided solely by the AO. There will be no refund of monies remitted by permittee for authorizations that are revoked by the AO "for cause". Examples of what may be considered "for cause" include, but are not limited to, any violation of permit stipulations, interfering with other lawful users, unnecessary surface disturbance, and failure to follow the direction of any BLM employee directing and/or coordinating on-the-ground activities associated with this authorization.
14. Filming operations shall be conducted in such a manner as to avoid creating safety hazards to other public land visitors and users and to the filming crews. The permittee shall use whatever signs, flagging, help of individuals, or other appropriate safety devices for the safe conduct of the filming operation and the protection of other users and visitors before, during, and after filming activities. Props, equipment and vehicles that are left at ongoing filming sites overnight must be accompanied by a guard and warning lights.
15. **No person, including security personnel, shall carry a weapon**, i.e., firearms, batons, etc., during the performance of their duties or while acting in any way as an agent of the permittee unless specifically authorized in writing by the authorized officer. It is the permittee's responsibility to ensure continued compliance with this stipulation.
16. **No vegetation may be severed or removed** unless specifically marked or otherwise designated by the authorized BLM officer.
17. Use/introduction of exotic plants must be *specifically* authorized in the permit.
18. Animals not endemic to the area shall be under the control of qualified handlers at all times. **Animals shall not be allowed to feed on the natural vegetation.** Permittee is responsible for providing appropriate feed and water for the animals. **Livestock shall be fed certified weed-free hay or pellets during their stay on public lands.** No non-certified hay may be brought onto the site. All animal "waste" shall be removed from the public lands on a daily basis. Transmission of diseases from domestic animals to wildlife will be avoided through appropriate action (vaccines, avoidance of contact, etc.).
19. Permittee shall provide sanitation facilities. Absolutely no dumping of sewage or garbage on the ground is permitted.
20. Permittee shall keep the area clear of trash and debris. All trash, garbage, and debris generated by the filming operation shall be removed immediately and shall be disposed of in an approved manner. The BLM dumpsters on site **shall not** be used unless the permittee arranges for pick-up and disposal of the trash through an approved sanitation vendor. **No burning or burying of trash is permitted.**
21. Permittee shall leave the area in a condition satisfactory to the authorized officer of the Bureau of Land Management.
22. Helicopters or fixed-wing aircraft **will not** be used during the filming project unless specifically authorized in the permit. If use is authorized, permittee shall provide on-the-ground traffic control, as well as any other precautionary measures deemed necessary by the authorized officer to insure public safety. Fueling of aircraft on public lands **will not** be authorized.
23. Sand/soil will not be moved or recontoured by permittee with any type of machinery unless specifically authorized.

24. Permittee shall not remove (temporarily or otherwise) any signs or modify any existing improvements on these public lands unless specifically authorized in this permit.
25. Use of pyrotechnic devices must be specifically authorized in the permit. The permittee shall obtain additional appropriate permits from other agencies as necessary. Pyrotechnic activity shall not be conducted within 100 yards of any campground.
26. Privacy screens shall be available in the case where members of the public are present for scenes that require people to be undressed.

Compliance and Monitoring Responsibility: YFO, Lands

Compliance inspections would be conducted regularly to verify that the holder complies with the stipulations, terms and conditions set forth in permit AZA 33159.

Decision:

BLM has determined that the proposal conforms to the land use plan, is in accordance with the categorical exclusion criteria, and that it will not involve any significant adverse environmental effects. Therefore, it is categorically excluded from further environmental review. The Proposed Action will have no effect on the President's Energy Policy and a Statement of Adverse Energy Impact is not required. The proposed action will be implemented subject to the stipulations within the authorizing document.

Approved by: _____
Rebecca Heick
Yuma Field Manager

Date: _____

Categorical Exclusion Review

Department of the Interior Departmental Manual 516 2.3.A(3) provides for a review of the following categorical exclusion criteria to determine if exceptions apply to this project. The following exceptions apply to individual actions within categorical exclusions (CX). Environmental documents must be prepared for actions which may:

CRITERIA	YES	NO
1 Have significantly adverse effects on public health or safety.	_____	__X__
2 Have adverse effects on such unique geographic characteristics as historic or cultural resources, parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or main drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks.	_____	__X__
3 Have highly controversial environmental impacts.	_____	__X__
4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	__X__
5 Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.	_____	__X__
6 Are directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	__X__
7 Adversely affect on properties listed or eligible for listing on the National Register of Historic Places.	_____	__X__
8 Adversely affect species listed or proposed for listing on the List of Endangered or Threatened Species, or adversely affect designated critical habitat for these species.	_____	__X__
9 Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.	_____	__X__
10 Threaten to violate a Federal, State, local, or tribal law or requirements imposed for protecting the environment.	_____	__X__